

NEW HAMPSHIRE FIRE STANDARDS & TRAINING COMMISSION

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MINUTES OF MEETING

June 5, 2003

(Approved September 4, 2003)

Members Present: Edward Murdough, Stephen Judge, Robert Nelson, Ronald O'Keefe, Les Cartier, David Duquette, Stephen Carrier, Paul Fortier, Peter Russell, Joseph Butts, Corey Landry, Richard Mason.

Members Absent: John Stephen, Roger Hatfield, John Hogle, Donald Bliss.

Others Present: Division of Fire Standards & Training Staff--Bruce McPherson, Bureau Chief; Dennis Rosolen, Bureau Chief; Eric Wilking, Captain; Susan Beaudoin, Recording Secretary; and Staff Instructors Jeff Brown, Scott Carrigan, Robert Irish, and Mark Lemay. Also: Karen Schlitzer, NH Department of Justice; Chief Chris Leclair, Portsmouth Fire Department.

I. CALL TO ORDER

Item 1. Pledge of Allegiance to Flag. The meeting of the New Hampshire Fire Standards & Training Commission was called to order by Chair Paul Fortier at 3:05 p.m. on Thursday, June 5, 2003 at the Richard M. Flynn Fire Academy. The Pledge of Allegiance to the Flag was recited.

II. APPROVAL OF MINUTES

Item 1. May 8, 2003. Motion was made by Commissioner Murdough, seconded by Commissioner Russell, to accept the Minutes of the May 8, 2003 Commission meeting with the following corrections:

- (a) From Commissioner Murdough--Page 4, Item 5, section (a), second sentence, change the sentence to read: "There has been one case of

SARS in a New Hampshire resident, but that person was hospitalized in Michigan.

- (b) From Commissioner Russell—Page 10, next to the last paragraph, next to the last sentence, change the sentence to read: “Without any dedication, we shouldn’t be giving them a retirement package.” Motion passed unanimously.

III. CHAIR’S REMARKS

Chair Fortier said he had no comments at this time.

IV. COMMITTEE REPORTS

Item 1. NFPA Standards 1031-1033-1035. Commissioner Hatfield was not present.

Item 2. Emergency Medical Services Liaison. Vice Chair Duquette reported that the EMS Trauma Coordinating Board met at the Evergreen Complex at Dartmouth in May. The major issues discussed were:

- (a) The EOA is going to be phased out as an adjunct, and is to be replaced with a combi-tube, which will be phased in over a period of training time.
- (b) Local option protocols, and they will be distributed through the hospital systems. Their hope is to have all the protocols listed on the EMS Bureau’s website.
- (c) Due process—does a hospital have the right to pull someone’s license or not. A proposal was sent from the Professional Firefighters to the Medical Control Board requesting a written procedure of how that would be done. Does the doctor have the ability to pull a paramedic’s license if he/she does something that the doctor doesn’t like.

Item 3. Fire Marshal's Office. Director Bliss was not present.

Item 4. Forest Protection Bureau. Commissioner Nelson reported on the following items:

- (a) Spring and early summer training is just about done. There is a work capacity test this Saturday, June 7 at Gilford Fire Department. It is required before someone can go on an out-of-state detail or before participating on federal land fires. They also have a course coming up on June 21 at the Bedford Fire Safety Complex on those work capacity tests.

- (b) Starting June 25, fire tower recognition ceremonies are to be held, presenting the tower historical certificates. Hopefully they will have all the dates listed on their website soon, and they will be listed in the Summer issue of *Fire Service News*. All 15 active fire towers are now dedicated to the National Historic Tower program, which recognizes the towers and the service they provide. The scheduled days, dates, times, and locations are:

Wed.	June 25	5 p.m.	Federal Hill, Milford
Sat.	June 28	11 a.m.	Pawtuckaway, Nottingham
Wed.	July 9	5 p.m.	Pitcher Mountain, Stoddard
Wed.	July 16	5 p.m.	Oak Hill, Loudon
Wed.	August 20	5 p.m.	Green Mountain, Effingham
Wed.	Sept. 3	5 p.m.	Red Hill, Moultonboro
Sat.	Sept. 6	11 a.m.	Magalloway, Pittsburg
Sat.	Sept. 6	5 p.m.	Milan Hill, Milan
Wed.	Sept. 10	5 p.m.	Mt. Belknap, Gilford
Sat.	Sept. 20	11 a.m.	Mt. Cardigan, Orange
Wed.	Sept. 24	5 p.m.	Blue Job, Farmington
Wed.	Oct. 1	5 p.m.	Kearsarge, Warner

Item 5. Emergency Preparedness and Security. Commissioner Landry reported that he did not attend the last meeting of the Advisory Council on Emergency Preparedness and Security, and he has not received the minutes of that meeting yet. The next meeting is scheduled for Monday, June 9.

Item 6. Curriculum Review. Vice Chair Duquette reported that the Curriculum Status Report was in each Commissioner's packet and is as follows:

- (a) Driver/Operator--Pumps:
A second pilot was completed in the field with Alton on an evening schedule basis.
- (b) Hazardous Materials--Operations:
At this point it is up and running with a new 50-question written exam. The exam is much improved and the program is working out well at this point. The evaluations have improved greatly.
- (c) Hazardous Materials--Technician:
The trailer is proving to be a valuable asset and will be an on-going work in progress. We are currently looking to do a course for Gorham before too long and have added more instructors as a result of the train-the-trainer held recently.
- (d) Aircraft Rescue & Fire Fighting:
The curriculum is ready to go; we have in hand some photographs from Manchester Airport to be added to the manual. We have had a number of firefighters complete the eight-hour recertification

program thus far, which seems to be our bread and butter. Ted Starkweather is working on a possible 40-hour certification program in September 2003. A number of eight-hour recertification classes have been scheduled this spring.

(e) NFPA 1030 Series:

NFPA 1031, a June 2003 class is scheduled for 2 weekends at the Academy. We just completed a Train-the-Trainer for instructors on the 6th.

NFPA 1033, Standard for Professional Qualifications for Fire Investigator is in progress and looking at two separate programs, one a one-week course for firefighters, and a two-week course for fire investigators. At this point it looks as though the New York curriculum is being considered for both classes.

NFPA 1035, Standard for Professional Qualifications for Public Fire and Life Safety Educator will probably follow the 1033 standard.

(f) Rescue Series--Structural Collapse:

No pilots scheduled as yet.

(g) Rescue Series--Confined Space:

There are two classes scheduled at the Academy in early June.

(h) Other:

Visiting Committees for the following in accordance with the Commission vote on February 3, 1999 are about to commence in the near future once the committees are established:

NFPA 1001, Standard for Fire Fighter Professional Qualifications (2002 edition)

NFPA 1021, Standard for Fire Officer Professional Qualifications (2002 edition)

NFPA 1041, Standard for Fire Service Instructor Professional Qualifications (2002 edition)

(i) C2F2 Visiting Committee Report:

Commissioner Duquette stated that we held public hearings last night and this morning on C2F2. In total, 28 people spoke on their concerns.

Commissioner Duquette said that one of the new things he heard at the hearing today came from the Concord Local and the Concord Chief who reported that they are paying extra overtime money because of the residency requirement of C2F2, and that money comes out of their training money, not their general budget. That means that money spent for resident programs is taking away from the rest of the training money. That affects people who are on the job because there is no money for them to attend classes.

Commissioner Duquette said there was also a question of making C2F2 a pre-employment requirement, and people would have to get it to be hired. However, if you tell people they need to have C2F2 to be hired, and they aren't hired for a few years, that brings up the question of a time requirement. That was another take that hadn't been discussed.

Commissioner Duquette reported that physical training was discussed again. It was pointed out that the physical training evaluation is not going away. The only part of the physical training that would go away is the daily physical training. We don't have the facilities to do it in inclement weather.

Commissioner Duquette said that the biggest issue was the residency program, and where do we go from here.

Commissioner Cartier said that the one thing that struck him as quite odd was that Chief Martel came up and said they put 20 people through C2F2, and he's the one who pays the bill. As he sat down, the representative from the union came up and said they don't want the residency program. Commissioner Cartier said that the other thing was, when asked about the Police Academy residency, he said that they call them a different name—a special officer. One person said that their job is to protect the money of the taxpayers. Commissioner Cartier said the wrong emphasis is there in his mind. Our job is to watch the life safety issues. Also, the Hampton attorney was 180 degrees against the State with regard to 28-A. So there are a lot of questions, and is it an unfunded mandate or not. A person from one of the smaller departments came up and said that one of the issues is that we do a lot of stuff with regard to the firehouse, the camaraderie, and how to run it; others said they can do that in their own stations. Then the small departments, which are the ones that are going to be coming here shortly, said there are only three people in their departments; how are they going to do that. They are very pro as to how it is being done now. These are the people who are the seed people who are going to go back to the departments that are just getting started.

Commissioner O'Keefe stated that Commissioner Cartier said that Manchester pays the bill; that is just for the course as they don't pay for the stay here at night as the nights are not compensable.

Commissioner Judge said that, in terms of lawyers giving opinions, the Attorney General's Office gives opinions to State agencies, and

they are binding on State agencies as opposed to private lawyers who may have their own opinions. The ultimate question will never be answered until the New Hampshire Supreme Court or the United States Supreme Court issues an opinion, and there hasn't been one on this particular issue. You have the Attorney General's opinion that is the law as far as State agencies are concerned.

Director Mason said, regarding the Police Academy, there are a couple of things that they do regarding the Fair Labor Standards Act (FLSA) to make sure the appropriate number of hours are adhered to. They never had an issue with residency because, when 28-A became an amendment in the Constitution, they had required residency before that. Their culture since the Police Academy started has been residency, so that is not a new program. When they add weeks, they are voluntary whether the students stay or go.

Commissioner Russell said that he was the one who brought up having the candidate sign a pre-employment form. It can be done as an offer of employment, and you can work around the FLSA. He noted that the first question he asked the union representatives when this was all started was: is this a money issue. We were told at the time that it would not be a money issue. He said that he has spent five years on this Commission, and this issue bothers and concerns him.

Director Mason reported that he received a letter from an attorney's office, Cook & Molan, asking for all copies of Minutes and Commission documents that contained anything that had to do with the creation of C2F2, specifically residency. The information was assembled and hand delivered to them. Less than a month after that, Director Mason received an apology from the President of the Professional Firefighters of NH because he was not aware of what was being said at the meetings when we were first talking about this issue. They had gone through all their Minutes and couldn't find where they had voted to mandate residency for C2F2. Therefore, it was the President's opinion that their representative was acting on his own behalf and not the organization's when we did this several years ago.

Commissioner Duquette said that every chief who spoke this morning said that it's a money issue. They want to spend less on C2F2 so they can pay for more training. Residency going away would save everyone in the long run.

Commissioner Carrier said that he was rather impressed last night by those who spoke for the physical training. He said he would be in favor of trying to reinstate that.

Chair Fortier stated that we compared our training to the Police Academy's. However, police officers go in with no training, and our prerequisite is Firefighter II, so we are comparing an apple to an orange. It is a dollars and cents issue. Various contracts are different, and there are a number of legal issues. It's a hardship, and residency causes that hardship. What is the value of residency, and is there really value to the total program. We looked at it as a skills review. We know what to do in our fire department as we have probationary periods to do that. The customers do not want residency. You could have a noncertified course. We could run a Firefighter II in Recruit School fashion. If you want to come, you come. We could just vote to make the career requirement Firefighter II.

Motion was made by Commissioner Russell, seconded by Commissioner Nelson, that the career mandate be Firefighter II.

Commissioner Duquette stated that Firefighter II was in place and the Visiting Committee said that was not enough. The Commission went with the Visiting Committee report. Again we assembled a Visiting Committee. If we do away with C2F2, then it's gone. The question is what can we do with the residency part because it costs too much money. No one said the whole thing should go away. If we make a decision to make C2F2 go away because that is the easy way out, he doesn't think that is appropriate.

Commissioner Judge said that if you eliminate residency, and then you bring it back again, it's new and modified; and it is a 28-A issue. He thinks that it's telling that 28-A has been around for a long time and C2F2 has been around for a long time, and no one has challenged it. He said he has recently heard about law firms having customers and about government having customers, and today we have heard about this Commission having customers. There is some truth to that, but he said he wants to make one point: law firms don't have customers; law firms have clients; clients are different than customers. Government doesn't have customers; government has citizens; citizens are different than customers. He doesn't think this Commission has customers; he thinks we have firefighters; and firefighters are different than customers. It seems to him that what is being suggested is that

the customers don't want residency, so we shouldn't do it. That is tantamount to saying that we have a curriculum, if the students and parents don't want it, then we shouldn't do it any more. The experts around this table decided that this program was something worthwhile and something that should be had, and maybe some of the customers don't like it, but a firefighter should do it.

Commissioner Landry said that we heard last night, we looked at it and said we want to keep it. Today if we just take this Report and throw it away, how are we going to look at Visiting Committees down the road.

Director Mason said think about the young gentleman from Concord who left his seat last night, he marched with perfect right corners; and the first thing he said was that 27 hours ago he couldn't do that. He spoke in favor of that kind of thing remaining. He couldn't see a good reason for residency as he lives six minutes from here. Director Mason noted he is not a voting member, and he sees so many pros and cons to residency.

Commissioner Carrier explained that he voted how his organization wanted him to vote, and he is at peace with himself on that. Doing away with the program would be totally against what we heard at the hearings and what the Visiting Committee said.

Commissioner Nelson said that several people last night said that this training is completely redundant although the vast majority said it was beneficial. A lot of people said it was a detriment to their family finances. He said that he doesn't know of anyone in any career who hasn't made decisions that have adversely affected their families and themselves for the betterment of their careers. There are sacrifices that have to be made to further yourself in a career that you have chosen. Nobody has forced these people to enter the fire service. Therefore it is up to those people to make some sacrifices to make themselves better firefighters, and it is not solely our burden. The training is not being offered so people can make more money. If that is an additional benefit, that's fine. It's to make them safer firefighters to better protect those people who are paying their salaries to be there. He said he does have a lot of compassion for the chiefs and people who have expressed the financial burden to themselves and to their communities for the expense of sending people here. However, this is not something that is new; it's been out there for five years. He said he doesn't think it should have come as a complete surprise to the unions or to the communities.

Commissioner Duquette said that the concern about the redundancy is correct, and that is why we had a Visiting Committee, and that's why we looked at the curriculum, and that's why we changed it.

Commissioner Russell said that he doesn't think that all of a sudden it should be voluntary. We should not continue with C2F2 if we are going to water it down. He said we are talking about a career; and, if a person can't give eight nights of their life for their career, and receive a retirement from that, then they ought to be doing something else. He said he would still be voting in favor of residency. Commissioner Russell said that the reason he made the motion is, if we are doing away with residency, we should do away with C2F2 entirely. If money is the real issue, then we should do away with C2F2 completely.

Commissioner Duquette said that one thing we always look at is the number of hours. If we do away with C2F2, which is 80 hours, we are not going to be able to add hours to Firefighter II. We always meet the NFPA standard. Chief Rosolen said that, if you add to Firefighter II, what happens when someone comes in for reciprocity and they have met the NFPA standard. Do we say that it's contingent on doing this.

Commissioner O'Keefe said he does not support what is on the floor right now. It's not just money. They spoke highly of the curriculum; we just need to get rid of the redundancy. We have a very different employee out there now. Their off time is very important to them. We have to look at that as well. If there is no benefit to staying, then we should do away with residency. Seventy-five percent said they would stay anyways. You could still have a talk at night. The real issue is everybody likes C2F2 and it's just the residency that they don't like. We need to focus on the issue.

Commissioner Nelson said that he agrees with a lot of conversation. He said he heard several comments made about not being able to volunteer your services for something that you are currently being paid to do. Then he saw 75 percent or so of the current student body raise their hands and say they would stay here for residency. How does that affect their home fire department and their connection to their union. That seems to conflict. Commissioner O'Keefe said he thinks that's correct, but he doesn't think it's a union issue. The Fire Academy is offering

someone a room, and they live 90 minutes away, so they will take the Academy up on it. If they hold a talk in the evening in the dayroom and that person participated on a voluntary basis, he doesn't think it would be a major issue.

Motion failed unanimously.

Motion was made by Commissioner Duquette, seconded by Commissioner Landry, to reopen the discussion on the C2F2 Visiting Committee Report. Motion passed.

Motion was made by Commissioner Carrier, seconded by Commissioner Cartier, to reconsider Recommendation c (*Daily Physical Fitness Training should be eliminated.*) from the C2F2 Visiting Committee Report. Motion passed unanimously.

Commissioner Murdough stated that we don't have the facilities to do this in inclement weather. There is another part of that; you only have 80 hours to train and you are going to use nine hours of it for physical fitness training. The military says that it takes eight weeks to get them in shape if they haven't done anything. What are you going to accomplish in two weeks. It's his opinion that it's not time well spent, especially given the fact that you only have a total of 80 hours for C2F2. Chair Fortier said that it was his interpretation that they were lumping in that the physical training was actually the Health, Fitness & Wellness evaluation. Looking at it is that we are providing them with the education of Health, Fitness & Wellness with an evaluation. If the education sinks in and they are taking it seriously, they get up an hour early to run for a half hour before they come here. Commissioner Duquette noted that, once one person starts that, others usually join in, especially in this environment. He thinks it is pretty much going to happen; it will occur on its own.

Commissioner Murdough said he did have a concern with the liability issue if someone is doing it on a voluntary basis and are not on the clock, and they get injured. Commissioner Hoglund said he didn't think there was a problem. Director Mason stated that those who went on a tour of the new dormitory addition saw a plaque on the wall that says "Weight Room." We were told by the Workers' Comp people that, if it's a weight room and people are here on behalf of their department and they get hurt, having it called a fitness room could have a different connotation than being a weight room. They thought that, if people are here representing their departments, even though they are not getting paid, and they

do fitness while they are here, they would not have a concern. Commissioner Carrier said that he hopes that we are establishing a foundation by having daily physical fitness here. People know they have to be in shape when they come here. If they are not in shape, they won't get in shape in two weeks, but it might weed them out. It will help to find people's limitations. We are trying to develop good habits. Commissioner Butts said that fitness in the morning is a warm up for the students and reduces injuries. It's a short workout period followed by lots of stretching. It's a good evaluation. He noted that, when he was Recruit School Chief, he would evaluate them and would speak to them about it. Commissioner Landry said that he is in full support of a daily workout, and asked what if we have bad weather. Commissioner Butts answered that they can walk in bad weather, in snow or rain, up the hill and back, to get themselves stretched out.

Chair Fortier asked how it would work logistically if you take the one-half hour out of each eight-hour day, where is that time going to come from. The one-half hour training is going to take an hour. Director Mason stated that, if there is no residency required, we won't have breakfast here. Chair Fortier asked if could be done logistically in the morning if there is no residency. Captain Wilking explained that we have had morning physical fitness training for 11, going on 12, straight classes, and there's never been a problem. It's 6:30 to 7:00 a.m., and the down time is 7:00 to 8:30 a.m. That one-half hour is part of their work time. In fact, another one-half hour has been added at night for when they do chores and clean up. The staff of this current Recruit School looked at the International Association of Firefighters' Wellness & Fitness Initiative, as well as the CPAT test; took the preparation guide from the new CPAT test that has been adopted, and that is the model for the physical fitness program. Every recruit is taking that and seems to really enjoy it. The fundamental basis of it is a stretching program. It can be done in a classroom or in a hallway in the dormitory. There is a one-mile jog the first week, and one and a half miles the second week. No recruit is left behind; they adjust the pace to the slowest or weakest recruit. He recommended that everyone look at letter m of the C2F2 Visiting Committee's Report, and use that wording, by changing "night training" to "physical fitness," so it reads "No physical fitness training will be required in the C2F2 curriculum, but may be conducted if desired by the organization conducting the class. If physical fitness training is scheduled in a particular class, attendance by all students in that class shall be required. Total required training time shall not exceed 42 hours per week."

That way physical fitness wouldn't be required, but may be done. Chief Leclaire said that to adopt that he would have a problem with the wording because as you go each sentence is completely contradictory to the previous sentence. He thinks we need to take that type of language out of the recommendations.

Chair Fortier said that he thinks we have to take chances. The Academy provides the one-half hour of physical fitness. Probably commuters will come early to do physical fitness with those who stay. Commissioner Murdough said he has a problem with counting on people volunteering for this. This is a certification course, so our focus needs to be on what's required for certification. If something is not required, and somebody does it, that's great. But, if it's not required, somebody else is not going to do it. If we think they need to do it for certification, we need to make it required. Commissioner Nelson said that Commissioner Murdough's comment is very appropriate. We have a certification course that we are trying to look at. Is it going to be required or is it not going to be required may be the bottom line issue. He said that, if physical fitness is going to be required, he does not feel that that is the best use of our 80 hours.

Commissioner Landry said he doesn't think we are out of line in making recommendations. If we are concerned with firefighter health and safety, which we all are, we should tell the students that they should be concerned with physical fitness; we should start with Firefighter I. He would like to see it recommended; he would like to see it happen; but he doesn't think it should be mandatory. Chair Fortier said that we can make it available. Commissioner Murdough asked if it would be a problem for off-campus courses. Director Mason replied that Manchester runs their own Recruit School, two weeks of which is held here, and they do physical fitness every day. Firefighter Carrigan said that Nashua does it every day also.

Motion was made by Commissioner Landry, seconded by Commissioner Murdough, that daily physical fitness training shall not be required of the students, but shall be made available by the entity holding the course. Motion passed with one no vote by Commissioner Carrier.

Motion was made by Commissioner Russell, seconded by Commissioner Nelson, to reconsider the residency requirement of the C2F2 Visiting Committee Report. Motion passed.

Motion was made by Commissioner O'Keefe, seconded by Commissioner Landry, that we make residency a recommended practice for C2F2.

Commissioner O'Keefe stated that it's apparent from what he heard in the public hearings that the majority of people we serve do not want the residency. Commissioner Nelson said with all due respect to what we heard from the Visiting Committee and from around the table, he is in favor of reconsidering hearing some of the discussion, or if there is anything new coming out. However, he does have to take somewhat of the stand that, if we do away with residency by making it recommended or do away with it all together, we have just thrown in the hat. We have listened to what the people who came here said and what the Visiting Committee said, and we are accepting them. But in all these discussions there are the people who weren't here; they may have some opinions on this as well; granted they had the opportunity to come here. But by voting residency to be recommended, we have made it a certain fact that, if we are to require residency in the future for this, it's going to be a 28-A issue.

Director Mason said that he was going to go back to March 6, 1996 when the following motion was approved: *That the minimum standard for full-time firefighter be the proposed Firefighter II. The Firefighter I section can be taken anywhere, but the Firefighter II section must be taken at the New Hampshire Fire Academy.* As a result of that motion, we ended up with the first annual meeting with what used to be the Veterans Affairs & Public Safety Committee of the House of Representatives; which, to Director Mason's knowledge, was the first time in the history of the State of New Hampshire that there was a legislative hearing in the evening. That hearing was on June 26, 1996. People speaking to the legislative body at that time did not want anything to do with this. It is Director Mason's understanding that the intent of this was that it would be done in residency when the dormitory was built. So he doesn't think that residency is a brand new issue. He said that that night he felt that residency was not wanted. We went around the State and talked to many people, and it was 50/50. People have spoken, and they really don't want residency to be mandated. Commissioner Landry said that we are trying to put a round peg in a square hole. How do we change the fire service with our new employees. It struck him that we might be trying to force residency on these people to change them to us, rather than us changing to them. They have grown up on their own, and have taken care of themselves a lot longer. They are not coming out of

the military. They tend to have more responsibility. He thinks we need to adjust and make it a college atmosphere class, and do away with residency.

Commissioner Murdough said that we have heard one very loud and clear argument about the costs. He is not sure that is valid. The cost is caused by sending someone for training, residency or not. With the exception of Hampton, because the Hampton Town Attorney has concluded that 20 of the 24 hours that they are here are compensable, all the other departments are not doing that. You have to pay a person for training, and you have to pay for back fill for that person's position. That is not caused by residency. He said he thinks the cost has been overstated. Residency might save them money because of travel costs for time and mileage. The other argument is the personal impact on the individual. That is going to happen with anyone's career. As employers we should make sure that, when that happens, it's for good reason. He hasn't heard that worthwhile reason as associated with C2F2. We have them here, by his calculation, for 208 hours. We spend 84 hours training and 64 hours sleeping, which is 148 hours. There are 60 hours left that we've got them here that they could be home with their families, or working another job earning some money. He doesn't think we are putting those 60 hours to good use. We have got people here for no good reason, and there are better things they could be doing with that time. So for that reason, he said he is willing to vote against residency, not because of the money issue. Commissioner Carrier said that residency makes the program and should stay. Commissioner Russell said that residency is important. He asked how many other things we are going to recommend. Without residency, he doesn't think that C2F2 should remain.

Commissioner Nelson said that firefighter safety is a paramount concern to everybody. With residency, they are not spending time on another shift or on another job or traveling. Chances are they are well rested when they go out onto the training ground. He said he hasn't heard a lot on safety. He said he is torn as to whether residency should be required or recommended. Chair Fortier said that he is a heart felt sponsor of residency. He said that word has come that most of the users don't want it. Commissioner Russell said that he still doesn't feel that it's a residency issue, but a money issue.

Chair Fortier noted that a yes vote is for recommending residency, not requiring it. A roll call vote was taken with the following results:

<u>Yes</u>	<u>No</u>	<u>Absent</u>
Murdough	Judge	Stephen
O'Keefe	Nelson	Hatfield
Cartier	Carrier	Hoglund
Duquette	Russell	Bliss
Fortier		
Butts		
Landry		

Motion carried.

Commissioner Duquette suggested that a letter be sent to the Visiting Committee members with a final draft. Director Mason said he would do that. Chair Fortier stated that letters are to be sent to the Committee members' fire chiefs also.

Director Mason said that he has never seen tenacity as much as he has seen here. He said he knows that a lot of tough decisions were made. He said that the Commission members are to be commended for looking at everything objectively, and he thanked them. He stated that it is a pleasure working with them.

VI. REPORT OF THE DIRECTOR

Item 1. Director's Report #72 covered the following subjects: 1) FFI, FFII, C2F2, 2) CFO Tool Box Course (Massachusetts), 3) EMS Week, 4) Defensive Driving, 5) Dorm Addition—Last Time Update, 6) Passing, and 7) I'm Off to Jail!

Other items discussed were:

- 8) The readoption with amendment of Fire 701.02 and the adoption of PART Fire 703 TRANSFERS.

Motion was made by Commissioner Landry, seconded by Commissioner Cartier, to accept the terminology for Fire 701.02 and 703 as presented, which is:

Readopt with amendment Fire 701.02, effective August 1, 2000 (Doc. #7332) to read as follows:

Fire 701.02 Fire Fighter Level of Training Required.

(a) Full-time career firefighters shall, within one year of original appointment, complete a program of study as adopted by the commission in Fire 401 and Fire 402 as a career fire fighter. Performance required of the person shall be in accordance with all applicable sections of Fire 400.

(b) The requirements of Fire 701.02(a) shall not apply when a full-time career fire personnel:

(1) Has previously met the requirements of Fire 701.02(a);

(2) Is placed in lay off status due to a reduction in force; and

(3) Is hired by a New Hampshire fire department within one year of the date of the lay off.

Adopt Part Fire 703 cited and to read as follows:

PART Fire 703 TRANSFERS

Fire 703.01 Transfers. Any full-time career fire personnel, as defined in Fire 101.17, and employed by a New Hampshire fire department, as defined in Fire 101.15, may transfer employment to another fire department. Said hiring shall meet Fire 701.01(a), Fire 701.01(b), Fire 701.01(d), Fire 701.01 (f) and Fire 701.02.

Motion passed unanimously.

- 9) We will need to hold a public hearing at the September 4, 2003 Commission meeting to change the monetary amount from \$10,000 to \$20,000 in the New Hampshire Code of Administrative Rules FIRE Part 101.17 (b), definition of a firefighter, which was voted on and passed at the March 6, 2003 Commission meeting.

VII. OLD BUSINESS

None.

VIII. NEW BUSINESS

None.

IX. RETREAT ITEM DISCUSSION

None.

X. GOOD OF THE ORDER

Item 1. Chair Fortier's Retirement. Chair Fortier said that he has spent 20 years on this Commission, and this is his last meeting. We have seen fire training grow from reconstituted filling stations filled with junk to an autonomous agency where we tried to run the day-to-day affairs of Fire Standards & Training, and watching us move through to become a Division of the Department of Safety. He said that you should have seen the battle when we decided to make the recommendation that we were going to Safety. One thing, no matter what the issue was, that made him extremely proud was that we were always true fire service professionals; because, when it was all done, it was done for the betterment of the fire service. There was always a lot of pride in this Commission, and a lot of dedication. Last night at the hearing we had recruits here; and what a great time, because there are too many people who go through their careers in the New Hampshire fire service and never understand what the New Hampshire Fire Standards & Training Commission is all about. They have no idea what we have been doing for 30 some odd years. He advised the Commission members to be cautious. Chair Fortier said that you are a very, very special group with a special charge. We all represent a certain constituency, and we always know the difference between right and wrong. Don't be led by the nose. It will change out there, and we have to deal with that. Always work together. It has been a pleasure to serve the firefighters with this group. Be safe, God bless you, and thank you. Chair Fortier was given a standing ovation.

Chair Fortier said that the Nominating Committee will have to meet to select a new slate for Chair and Vice Chair. The members of that Committee are Commissioners Nelson, as Chair, Hoglund, and Butts. They are to present that slate at the September 4, 2003 Commission meeting.

Motion was made by Commissioner Butts, seconded by Commissioner Nelson, that Vice Chair Duquette be appointed Chair until a new vote is taken. Motion passed unanimously.

Commissioner Duquette asked Chair Fortier to attend the September 4 Commission meeting; Chair Fortier answered that he would be there.

Chair Fortier noted that there is no holdover status available for his position, so his organization may not be represented at the September meeting.

Item 2. NH Department of Justice Representative. Chair Fortier welcomed Karen Schlitzer as a new Commissioner, representing the NH Department of Justice. She is replacing Stephen Judge, who is leaving from the Department of Justice.

Item 3. Academy Awards. Director Mason announced that nominations for the Commission's Academy Awards need to be sent to Commissioner Cartier, the Chair of that Committee, as soon as possible. The Academy Awards ceremony will be held at 7:00 p.m. on Thursday, November 6.

Item 4. Commission Members' Term Expirations for 2003. Director Mason listed the following Commission members who have terms expiring in 2003:

November 12: Commissioners O'Keefe, Cartier, and Duquette
November 16: Commissioner Russell

Director Mason asked that they each have their organizations start the process of nominations as soon as possible.

Item 5. Federation of Mutual Aids. Commissioner Nelson said that the Federation of Mutual Aids is trying to compile a list of all active mutual aids in the State with contact information, including mailing addresses and email addresses. There are currently 17 systems in the State.

XI. ADJOURNMENT

Motion was made by Commissioner Cartier, seconded by Commissioner Nelson, to adjourn at 5:30 p.m. Motion passed unanimously.

Respectfully submitted,

Richard A. Mason, Director